

Please type a plus sign (+) inside this box → +

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM		Application Number & Confirmation Number	10/743,941
		Filing Date	12/23/2003
		First Named Inventor	Lou
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	MP0354

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Cited Document, Postcard
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)		Remarks
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request		
<input checked="" type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard A. Dunning, Jr.
Signature	
Date	1-15-05

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date: 1-18-05

Type or printed name	Diane Dunning	Date	1-18-05
Signature			

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lou et al.  
 Serial No. : 10/743,941  
 Filed : 12/23/2003  
 Title : ADAPTIVE CHANNEL BANDWIDTH SELECTION FOR MIMO WIRELESS SYSTEMS

Art Unit :  
 Examiner :  
 Conf. No. :

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97-98**

Pursuant to the provisions of 37 CFR §§ 1.56 and 1.97-98, enclosed herewith is a modified form PTO-1449 listing documents for consideration by the Examiner.

The filing of this Information Disclosure Statement shall not be construed as a representation regarding the completeness of the list of documents, or that inclusion of a document in this list is an admission that it is prior art or is pertinent to this application, or that a search has been made, or as an admission that the information listed is, or may be considered to be, material to patentability, or that no other material information exists, and shall not be construed as an admission against interest in any manner.

This Information Disclosure Statement is being filed:

- within three months of the filing date of the application, or date of entry into the national stage of an international application, or before the mailing date of a first office action on the merits, whichever event last occurred;
- before the mailing of a first official action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114;
- after three months from the filing date of this national application or the date of entry of the national stage in an international application, or after the mailing date of the first official action on the merits, whichever event last occurred, but before the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*1-18-05*

Date of Deposit

Signature

*Diane M. Dunning*

Diane M. Dunning  
 Typed or Printed Name of Person Signing Certificate

- attached hereto is the fee set forth under 37 CFR § 1.17(p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- Applicant certifies pursuant to 37 CFR § 1.97(e) that:
  - each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; OR
  - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement;
- before the payment of the issue fee but after the mailing date of the first to occur of either: (1) a final action under 37 CFR § 1.113; or (2) an action that otherwise closes prosecution in the application, and:
  - Applicant certifies pursuant to 37 CFR. § 1.97(e) that:
    - each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement; or
    - no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Statement; AND
  - attached hereto is the fee set forth under 37 CFR § 1.17 (p) for submission of this Information Disclosure Statement under 37 CFR § 1.97(c); OR
- after the payment of the issue fee. Applicant requests that the information contained in this Information Disclosure Statement be placed in the file according to 37 CFR § 1.97(i), although the information may not be considered by the USPTO.
- This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application No. \_\_/\_\_\_,\_\_\_\_, filed on \_\_\_\_\_, and the documents cited therein are hereby referenced, but are not required to be provided in this application under 37 CFR § 1.98(d).
- Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application, and the communication was not received by any individual designated in 37 CFR § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement. 37 CFR § 1.704(d).

Applicant : Lou  
Serial No. : 10/743,941  
Filed : 12/23/2003

Attorney's Docket No.: MP0354

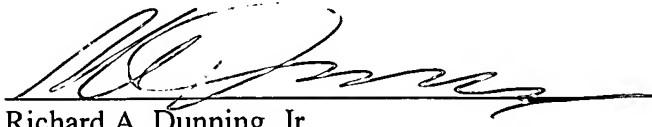
Page: 3

- Applicant submits that no fee is required for the consideration of this Information Disclosure Statement.  
Consideration of the listed documents and favorable action are respectfully requested.

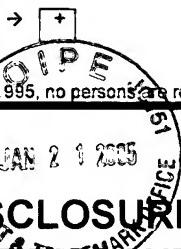
Respectfully submitted,

Date: 1-15-05

Law Office of Richard A. Dunning, Jr.  
343 Soquel Avenue, Suite 311  
Santa Cruz, CA 95062  
Telephone: 831.420.0561  
Facsimile: 831.420.0566

  
Richard A. Dunning, Jr.  
Attorney/Agent for Applicant(s)  
Reg. No. 42502

Please type a plus sign (+) inside this box



**Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**

PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

**Substitute for form 1449B/PTO**

JAN 2 9 2005

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		<b>Complete if Known</b>	
		Appl. No. & Conf. No.	10/743,941
		Filing Date	12/23/2003
		First Named Inventor	Lou et al.
		Group Art Unit	
		Examiner Name	
Sheet	1	of	1
		Attorney Docket Number	MP0354

## NON-PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington DC 20231.